

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

DATA CARRIERS, LLC,

Plaintiff,

v.

OFFICE DEPOT, INC.,

Defendant.

C.A. No. 12-943-LPS

**STIPULATED MOTION FOR DISMISSAL WITH PREJUDICE**

The plaintiff Data Carriers, LLC and Defendant Office Depot, Inc. pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii), hereby move for an order dismissing all claims in this action WITH PREJUDICE, subject to the terms of that certain agreement entitled “**SETTLEMENT AND RELEASE AGREEMENT**” and dated July 12, 2013, with each party to bear its own costs, expenses and attorneys’ fees.

Dated: August 16, 2013

BAYARD, P.A.

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